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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/802,861

03/12/2001

Son Phan-Anh

017.38738X00

3307

32294 7590 05/08/2007  
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EXAMINER

LY, NGHI H

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

05/08/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 09/802,861	Applicant(s) PHAN-ANH ET AL.	
	Examiner Nghi H. Ly	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 February 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 15-28 and 30 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 15-28 and 30 are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election of **Specie I** in the reply filed on 02/08/07 is acknowledged.

Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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4. Claims 1, 2, 5, 8, 9, 12 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toyoda et al (US 6,594,490) and further in view of Roy (US 6,732,177) and further in view of Foti et al (US 6,654,606).

Regarding claims 1, 5, 8, 12 and 29, Toyoda teaches a method (see Abstract) comprising: recovering location registration of a subscriber in a mobile network (see column 1, lines 12-17), forwarding a registration request from the subscriber to a Serving-Call State Control Function (S-CSCF) (see column 2, lines 10-20, column 2, lines 38-57, column 4, lines 48-60 and column 15, lines 40-58), forwarding a location update of the subscriber in the mobile network from the S-CSCF to a Home Subscription Server (HSS) (see column 2, lines 10-20, column 2, lines 38-57, column 4, lines 48-60 and column 15, lines 40-58), and storing information so as to be protected against loss (see column 1, lines 29-38, column 12, lines 51-64 and column 13, lines 10-18, the teaching of Toyoda inherently teaches storing information so as to be protected against loss).

Toyoda does not specifically disclose forwarding a registration request from the subscriber to a Serving-Call State Control Function (S-CSCF) including the subscriber's Transport Address (TA) which is a current Care of Address of the subscriber, forwarding a location update of the subscriber in the mobile network from the S-CSCF to a Home Subscription Server (HSS) including the subscriber's TA and address of the S-CSCF, and storing information including the subscriber's TA so as to be protected against loss.

Roy teaches forwarding a registration request from the subscriber to a Serving-Call State Control Function (S-CSCF) including the subscriber's Transport Address (TA)

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which is a current Care of Address of the subscriber (see column 20, lines 20-24 and column 32, lines 17-24), forwarding a location update of the subscriber in the mobile network from the S-CSCF to a Home Subscription Server (HSS) including the subscriber's TA and address of the S-CSCF (see column 20, lines 20-24 and column 32, lines 17-24).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Roy into the system of Toyoda in order to provide an intelligent signaling scheme for a computer-readable medium for an H.323-based mobility architecture for real-time mobile multimedia communications (see Roy, Abstract).

The combination of Toyoda and Roy does not specifically disclose storing data regarding the location update including the subscriber's TA-in the HSS so as to be protected against loss of the location information of the subscriber in the mobile network.

Foti teaches storing data regarding the location update including the subscriber's TA-in the HSS so as to be protected against loss of the location information of the subscriber in the mobile network (see column 2, lines 9-24).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Foti into the system of Toyoda and Roy in order to provide a call processing function that are selective perform (see Foti, column 2, lines 21-22).

Regarding claims 2 and 9, the combination of Toyoda and Roy teaches claims 1 and 8. The combination of Toyoda and Roy does not specifically disclose lost information including the subscriber's TA may be restored to the S-CSCF from the information stored in the HSS.

Foti teaches lost information including the subscriber's TA may be restored to the S-CSCF from the information stored in the HSS (see column 2, lines 9-24).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Foti into the system of Toyoda and Roy in order to provide a call processing function that are selective perform (see Foti, column 2, lines 21-22).

5. Claims 3, 4, 6, 7, 10, 11, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toyoda et al (US 6,594,490) in view of Roy (US 6,732,177) and further in view of Foti et al (US 6,654,606) and Taguchi et al (US 6,136,532).

Regarding claims 3, 6, 10 and 13, the combination of Toyoda, Roy and Foti teaches storing data in the HSS (see Foti, see column 2, lines 9-24). The combination of Toyoda, Roy and Foti does not specifically disclose storing data in a non-volatile memory.

Taguchi teaches storing data in a non-volatile memory (see column 16, lines 53-58).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Taguchi into the system of Toyoda, Roy and Foti in order to retain the data in the event of power losses.

Regarding claims 4, 7, 11 and 14, the combination of Toyoda, Roy and Foti teaches storing data in the HSS (see Foti, see column 2, lines 9-24). The combination of Toyoda, Roy and Foti does not specifically disclose storing data in a non-volatile memory in the HSS comprises storing data in a hard disk drive.

Taguchi further teaches storing data in a non-volatile memory in the HSS comprises storing data in a hard disk drive (see Taguchi, column 16, lines 53-58).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Taguchi into the system of Toyoda, Roy and Foti in order to retain the data in the event of power losses.

### ***Response to Arguments***

9. Applicant's arguments with respect to claims 1-14 and 29 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi H. Ly whose telephone number is (571) 272-7911. The examiner can normally be reached on 8:30 am-5:30 pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on (571) 272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a



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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nghi H. Ly

A handwritten signature in black ink, appearing to be 'NHL' or 'NHLy', written in a cursive style.